REMARKS

ON THE

CHARTER

OF THE

EAST INDIA COMPANY.

CAMBRIDGE:

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1813.

THE regular notice required by the Act of Parliament was given in April 1811, by the Speaker of the House of Commons, to the East India Company, that their Charter would expire on the first of March 1814.

It is curious to remark, how little interest was at first taken by the public in the very important objects, to which this notice might have been expected to awaken attention.

The Act of Parliament commonly termed "the Charter of the East India Company," was passed in the Session of 1793, in the 33d year of the reign of his present Majesty, and finds its place (chap. 52.) in our Statute Book, according to its date, like all other Statutes of minor importance.

In the year 1783, the very proposal of a plan for the regulation of the government of India convulsed the whole empire; and, after the severest conflict between the two rival parties in both houses of Parliament, terminated in the utter defeat and dissolution of the existing Ministry. Our Indian Empire from that period progressively advanced in extent and importance to the year 1793, when the present Charter was granted to the East India Company.

It has proceeded on a still wider scale of enlargement to the present hour. It cannot, therefore, be now thought unseasonable to make some brief observations on the nature and magnitude of the chartered rights of the East India Company, —they may chance to catch the eye of some, whose situation render them competent to reduce to practice, the suggestions that may be offered; or to acquaint those less habituated to read through Acts of Parliament, how immense is the importance of the subjects, to which the Charter of the East India Company applies.

In the following pages it will be first attempted to shew:—

I. WHAT IS THE EXTENT OF TERRITORY TO WHICH THE CHARTER OF THE EAST INDIA COMPANY APPLIES?*

II. THE EQUITY OF RENEWING THE CHARTER WILL BE BRIEFLY CONSIDERED.

III. THE POLICY OF SUCH RENEWAL.

IV. SOME CHANGES WILL BE SUGGESTED IN THE COMMERCIAL AND POLITICAL GOVERNMENT OF INDIA.

I. The public cannot be more effectually satisfied of the extent of territory to which the

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* The apology for offering this head, as the first object of our remarks, must be, the very imperfect apprehension which is so often entertained, of the extent of the Countries to which the Charter applies.

East India Charter applies, than by requesting them to spread out the map of the world, (if of Mercator's projection it would be preferable) and, with the map before them, to read carefully the sections of the Act of Parliament called the Charter, which are here inserted.

Section 71. c. 52. of 33d year of George III.

"And be it further enacted, by the authority
" aforesaid, That the said United Company of
" Merchants of England trading to the East
" Indies, and their Successors, shall have, use and
" enjoy, and shall continue to have, use and
" enjoy, the whole sole and exclusive trade and
" traffic, and the only liberty, use, and privilege
" of trading, trafficking, and exercising the trade
" or business of merchandize into and from the
" East Indies, and into and from all the islands,
" ports, havens, coasts, cities, towns, and places
" between the Cape of Good Hope and Straights
" of Magellan, and limits, in an Act made in the
" ninth year of the reign of King William the
" Third, or in a certain Charter of the fifth day
" of September, in the tenth year of the same

"King, mentioned, in as ample and beneficial "manner as the said Company could thereby or "otherwise lawfully trade thereto, subject never-"theless to the several limitations, conditions, "and regulations in this Act contained, and also "subject to the proviso hereinafter contained for "determining the same; any former Act or "Acts, matter or thing, to the contrary notwith-"standing.

Section 61. of c. 44. of the 9th and 10th of William and Mary, referred to in the above section of the 33d of the present King, enacts, "That the general society (viz. the East India "Company then forming) shall, and lawfully "may, by themselves severally, or by their "agents, freely traffic and use the trade of mer-"chandize in such places, and by such ways and "passages as are already frequented, found out "or discovered, or which hereafter shall be found "out or discovered, and as they severally shall "esteem and take to be fittest or best for them, into "and from the East Indies, in the countries and "parts of Asia and Africa, and into and from "the islands, ports, havens, cities, creeks, towns,

" and places of Asia, Africa, and America, or " any of them, beyond the Cape of Good Hope, " (Bona Esperanza) to the Streights of Magellan, " where any trade or traffic of merchandize is or " may be used or had, and to and from every of " them."

From these sections of the above Acts here recited, it appears that the exclusive trade of the East India Company, extends, over all the Eastern Coast of Africa, from the Cape of Good Hope to the Isthmus of Suez; all the coast of the Red Sea; all the coasts of Arabia, of Persia, of India; all the coasts of the minor kingdoms of Ava, Pegu, Siam, Cochin-China; all the continental empire of China (a small exception being made in the event of any cession from the Chinese government, of territory not continental) all Japan, all Sumatra, Java with Batavia, and over the whole of the vast and numerous Islands and Clusters of Islands in the Eastern Archipelagoes.

II. IT IS NOW PROPOSED VERY BRIEFLY TO CONSIDER THE EQUITY OF RENEWING THE CHARTER OF THE COMPANY.

But that the public may have before them a correct view of the rigidity of the restrictions in favour of the Company, we shall here insert different Sections of the Charter.

The following specify the penalties to which every British subject is made liable who ventures to trade to, or even to set foot on, the almost unbounded territory, over which the exclusive jurisdiction of the East India Company is by charter extended.

Chap. 52. 33 Geo. III. Sect. 129.

Be it enacted, "That if any of the subjects "of his Majesty, his heirs or successors, of or "belonging to Great Britain, or the islands of "Guernsey, Jersey, Alderney, Sark, or Man, "or Faro isles, or to any of his Majesty's colo-"nies, islands, or plantations in America or the "West Indies, other than such as by the said "United Company shall be licensed, or other-"wise thereunto lawfully authorized, shall at "any time or times, before such determination "of the said Company's whole and sole trade as "is herein before limited, directly or indirectly

" sail to, visit, haunt, frequent, trade, traffick, " or adventure to, in, or from the said East " Indies, or other parts herein-before mentioned, " contrary to the limitations and provisions of this " Act, or the true intent and meaning thereof, all " and every such offender or offenders shall in- " cur the forfeiture and loss of all the ships " and vessels belonging to or employed by " such subjects respectively, with the guns, " tackle, apparel, and furniture thereunto be- " longing, and also all the goods and merchan- " dize laden thereupon, or which were or shall " be sent, acquired, traded, trafficked, or ad- " ventured within the said East Indies, or parts " aforesaid; and all the proceeds and effects of " such goods and merchandize, and double the " value thereof, (to wit) one-fourth part of such " forfeiture to such person or persons who shall " seize, inform, or sue for the same, and the " other three fourth parts thereof to the use of " the said United Company, they defraying there- " out the charges of prosecution.

Sect. 130.—" And be it farther enacted, That " all and every subject and subjects of his Ma-

" jesty, his heirs or successors, of or belonging " to Great Britain, or the islands, colonies, or " plantations aforesaid, or any of them, who " shall at any time or times, before such deter- " mination of the said United Company's whole " and sole trade as is herein-before limited, go, " sail, or repair to the said East Indies, or parts " aforesaid, against any of the provisions of this " Act, shall be demeed and accounted to have " unlawfully traded and trafficked there, and all " the ships, goods, and merchandize which shall " be employed therein, or found in his or their " custody, or in the custody of any other person " or persons by his or their employment, order, " or procurement, shall and may be seized, and " shall be forfeited, with double the value thereof, " one-fourth part of which forfeiture shall belong " to the person or persons who shall seize, inform, " or sue for the same, and three-fourths thereof " shall be to the use of the said United Company, " they thereout defraying the charges of prose- " cution.

Sect. 131. " And be it farther enacted, That " if any subject or subjects of his Majesty, his

" heirs or successors, of or belonging to Great " Britain, or any of the islands, colonies, or " plantations aforesaid, not being lawfully li- " censed or authorised, shall at any time or " times before such determination of the said " Company's whole and sole trade, as is herein- " before limited, directly or indirectly go, sail, " or repair to, or be found in the East Indies, " or any of the parts aforesaid, all and every " such person and persons are hereby declared " to be guilty of a high crime and misdemeanor, " and being convicted thereof shall be liable to " such fine or imprisonment, or both fine and " imprisonment, as the Court in which such per- " son or persons shall be convicted shall think " fit; and in case of a fine, one moiety thereof " shall belong to his Majesty, his heirs or suc- " cessors, and the other moiety thereof to the " said United Company, if they shall prosecute " the said offence, or otherwise such moiety " shall be to the use of such person or persons as " shall prosecute the same.

Sect. 132. " And be it farther enacted, That " at any time or times, before such determination " of the said Company's whole and sole trade as

" is herein-before limited, it shall and may be " lawful to and for the said Company and their " successors, by and through such person or " persons as is and are hereafter mentioned, to " take, arrest, and seize, or cause to be taken, " arrested, and seized, at any place or places " within the East Indies, or parts aforesaid, all " and every person and persons, being a subject or " subjects of his Majesty, his heirs or successors, " of or belonging to Great Britain, or to any of " the islands, colonics, or plantations aforesaid, " who shall go, sail, or repair to, or be, or be " found within the said East Indies or parts " aforesaid, against any of the provisions of this " Act, and him or them to remit and send or " bring to England, there to answer for his, her, " or their offence, according to due course of law; " and when such person or persons shall arrive " in England, it shall and may be lawful to and " for any one or more of his Majesty's justices " of the peace, and he and they are hereby " authorised and required to commit all and " every such person or persons to the next " county gaol, there to remain until sufficient " security be given, by natural born subjects or " denizens, for the appearance of such person or

"persons in the Court in which he or they shall "or may be sued or prosecuted, or shall be "under actual prosecution in respect of such, "his, or their offence, and for his or their not "going out of Court, or out of the kingdom, "without the leave of such Court."

Having inserted these sections of pains and penalties, it cannot but be observed that they appear severe. From the reign of William III. the commerce of India has been much supported by the spirit of merchants, who have employed their capitals either collectively or individually, in such distant and hazardous speculations—they, therefore, in equity, and their descendants after them, whether by purchase or inheritance, merited a reasonable return of grateful protection. But it must also be in recollection, that if from, or even before the reign of William III. collective or individual exertions were made by the merchants to maintain our commerce with India, our *first* connection with India was effectually formed, and subsequently confirmed, by the wisdom of Elizabeth; whose duty and intention it was, thereby to advance

the *general* prosperity of her British subjects. The merchants embarked in the commerce of India then, and more recently, with a view to *individual*, not to national advantage. National advantages, if they resulted from the commerce, were contemporaneous only, and it surely may be added, in the intent of the merchant, always subordinate to individual profit: such advantages, the chartered capitalists of Indian commerce enjoyed, with the interruption of the civil wars, from the time of Elizabeth, to the year 1793, and since that period, at which the present Charter was granted, their exclusive privileges have been ample indeed.

The executive sovereignty of this country is accustomed to limit to their author, by patent, the exclusive benefit of useful discoveries for a term of years, and the world acquiesces in the equity of such limitation; so the Legislature justly granted, as the reward of past risque and exertion, exclusive privileges to the mighty patentees of Indian Empire. The East India Company will have enjoyed their patent, at its expiration in 1814, full twenty years. Is not

now then the Government of this country justified on principles of equity, in throwing open to the public those commercial opportunities or advantages, for the discovery or improvement of which the Company were so essentially benefited before 1793, and for which, for twenty years since that period, they have been so amply remunerated?

The proprietor of waste or half cultivated land grants an advantageous lease for 14 or 20 years, to his tenant, in order that he may secure an adequate profit from the capital he shall embark in his improvements; but no one can charge the proprietor with injustice, if, at the end of the lease, he refuses to renew it, and grants one to his own family. By parity of reasoning, therefore, it should seem, that the British Government would be justified in granting no new Lease of India, to the East India Company; and are rather in parental equity bound to resume the original Grant in favour of its vast family, the whole British nation. *Their* Sovereign first opened that intercourse between England and India, which became the basis of our Indian commerce.—

—Their armies were employed in protecting the infancy of that commerce.—Their blood was shed, and their treasures expended, in the support of her youth to manhood. Their fleets still convoy the shipping of the merchants.—The combined efforts of their navies and armies still guard the vulnerable empire, and, directed by the wisdom of their Legislature, or of Governors, virtually acting under the auspices of that Legislature, daily and unceasingly, foil still the designs of all enemies; and secure safety, peace, nay existence to the Indian empire.

III. THE EQUITY OF A RENEWAL OF THE CHARTER OF THE EAST INDIA COMPANY HAS BEEN CONSIDERED; WITH EQUAL BREVITY WE NOW ADVERT TO THE POLICY OF SUCH A MEASURE:—

1. As an excessive thirst after wealth has been found to pervade all ranks of men in civilized society, in all ages, and in all governments, it is the bounden duty of a parent state to controul this passion by wholesome and temperate regulations; commercial pursuits would otherwise become most unprofitable to merchants, and an idle

waste of the industry of the country—colonial markets would be glutted at the commencement, and without supply in the progress of every speculation—desperate adventurers would, but for the vigilance of Government, be continually embarking in distant and daring schemes of traffick, without the intelligence of the South-whalers in the present century to direct their energies, and without the generosity of the Buccaneers of the former century to qualify their cupidity. Regulations of commerce are more easily imposed on companies than on the public at large; because companies, having a more immediate interest to advance, are more alert in watching over their observance than the public; they, therefore, more promptly and effectually unite, with Government, in the enforcement of them; and thus they merit their charters on the ground of policy.

2. Sound policy justifies the establishment of companies for the prosecution of remote commercial speculations, because, without them, competent capital could not be supplied. These arguments in favour of companies in general are

peculiarly applicable to East Indian commerce, and to our own East India Company: both, indeed, are the mere repetition of principles long, long ago recognized, or such as can scarcely, we conceive, be called in question.

To consider, on the other hand, some objections to the renewal of the Charter of the East India Company.

1. All admit, that plenty is the parent of prodigality, and waste the natural offspring of superfluity. However trite such observations may appear, we must aver, without presuming to cast any slur on the East India Directors, that they have been abundantly exemplified through the vast system of Eastern commerce, pursued under the chartered privileges of the East India Company.—Nothing can be more remote from the wish of the writer, than to attempt unfounded reflections on the conductors of East Indian commerce under the Charter; but it cannot too often be repeated, that the exclusive trade of the East India Company comprehends all the Eastern coast of Africa, all the coast of the

Red Sea, all that of Arabia, of Persia, of India, of Pegue, Siam, Cochin China, and China, and all the Isles of the Eastern Archipelagoes. Of this immense line, the coasts of India, of the South of China, and of the gulf of Persia, and of some of the Islands to the East of the Bay of Bengal, have principally, if not solely, occupied the attention of the East India Company: the Eastern coast of Africa, that of the Red Sea, of Arabia, much of Pegue, Siam and Cochin China, and of the Eastern Islands, have been either wholly neglected, or lightly regarded.

The interior of the countries on whose coasts the commerce of the East India Company is established, remains, but by their especial favour, unknown. The total British population of India itself, exclusive of the military and naval establishments, scarcely amounts to 50,000 souls.— In the Eastern Archipelagoes, in Arabia, in Persia, and in Africa, immense tracts lie desert, which might become fit objects of exertion to British industry or British commerce; still vaster regions are almost unexplored. With the renewal of the Charter, these evils will be perpetuated. The

extension of the privileges of private traders, by licences under the Charter of the East India Company, affords a very inadequate remedy for them: Whatever nation we are at peace with, will assert its free right to trade to the several countries included in the East India Company's Charter.— American vessels, during all the late and long continued continental war, have swarmed in every chartered port, whether or not neglected by the India Company. I might particularize those of Calcutta, Mocha, Bûsheer, &c. so assuredly will the shipping of France, and of all countries under the controul of France, if ever peace be restored between them and us. The Americans, therefore, and the subjects of other powers, will reap, and have reaped those advantages from Indian commerce, from which the British nation is alone excluded by those disabilities which the Charter imposes.

But it is not only in neglected markets of commerce, and lost occasions for the exercise of agricultural industry, that the British nation has to regret the vast monopoly afforded by their Charter to the East India Company. We cannot,

indeed, sufficiently lament how many are precluded by the penalties it holds out, from seeking that honest independance in happier climates and less sterile soils, which the rapid growth of an unemployed population, and the partial decay of manufactures, dooms them to want in their native country. But

2. The Government of the parent State cannot be insensible to a great political evil originating in the present terms of the Charter; for, by the 24th section of the Charter, the whole civil and military government of Bengal and its adjacent provinces, and of the neighbouring territorial acquisitions and Revenues, are vested in a Governor and three Counsellors: so also the several provinces of and near Madras and Bombay are subject, each to a Governor and three Counsellors, all of which three several Governors, and the Councils annexed to them, are, by the 25th section of the Charter, to be *appointed* by the *Court of Directors.*

The power of the East India Company thus vested in the Court of Directors, is truly formida-

ble; and has been experimentally proved, fully competent to fetter the operations of the Sovereign Government at home. For, by the 35th section, the Crown may recal any of the officers appointed by the Directors. Let both exercise their rights to the full extent, let the Directors appoint Governors, and the Crown recal, and an absolute suspension of government immediately ensues, through the whole of our Indian empire.

3. A third objection to the continuance of a company chartered as is that of India, arises from the military system. A strange distinction has grown up between the military servants of the Company, and the armies of the Crown of England. In the reciprocal jealousies of these two sets of military servants, we have recently seen such just ground of alarm that it is needless to dwell on this political objection.

4. The influence of the Charter over the religious interests of India, is as trivial as obvious. When we consider the immense population of Gentile India, compared with that which professes the Christian faith, we ought not perhaps

to regret this. Moreover, except in some unfortunate instances, without any provisions relative to religion made by the Charter, the *practice* has generally been, to respect the religious opinions of all the native inhabitants of India, and of the other countries comprehended within the Charter; whether Musselmen, Hindoos, &c. But in a future Charter it will surely be proper to make some permanent provision, for attaching that due degree of exterior dignity and importance to the offices of religion, which Christianity, in India, is so often perceived to want: It is no less desirable that validity should be given. by expressed law, to marriages contracted in India, without the intervention of protestant ecclesiastics.

IV. TO PROCEED THEREFORE TO SUGGEST CERTAIN CHANGES IN THE COMMERCIAL AND POLITICAL GOVERNMENT OF INDIA, AND OF THE COUNTRIES COMPREHENDED WITHIN THE CHARTER OF THE EAST INDIA COMPANY.

The two great and fundamental objections to the present Charter of the East India Company we have already remarked to be,

First. The *excessive extent* of the countries and coasts comprehended in their privileged trade.

Secondly. The fatal *confusion* to which the powers of *appointment* vested in the Directors, and the powers of *recal* reserved to the Crown, are obnoxious.

Both these objections it should seem, may be obviated if for the old Great Company we substitute *Six*, constituted and appointed as will be now specified.

1.—The India Company.

2.—The Company of the Isles.

3.—The Persian Company.

4.—The Arabian Company.

5.—The Eastern African Company.

6.—The China Company.

1. To the first may be assigned the whole exclusive Trade of the Peninsula of India.

2. To the Company of the Isles, may be assigned the exclusive Trade of all the Coast Eastward of the Mouth of the Ganges to the Western Bank of the Canton River—viz. of Ava, Pegu, Siam, Cochin-China, and all the Coast of Asia Eastward, from the Peiho or Yellow River to Cape Lopatka, and all the Islands and Clusters of Islands (Formosa excepted) lying between and included within Latitude 60° North, and 10° South of the Equator, and between Longitude 110° and 180° East of the Meridian of Ferrol.

3. To the Persian Company we would assign the exclusive trade from the Mouth of the Indus to Cape Ras al Gat (Cape Cats-head) on the South East point of Arabia.

4. To the Red Sea or Arabian Company, the whole of Arabia, including the two shores Eastern and Western, of the Red Sea.

5. To the Eastern African Company, the whole Coast of Africa, from Cape Guardafui to the Cape of Good Hope, including the Islands of Socotra and Madagascar.

The Madeira Isles, the Canaries, the Cape Verd Isles, the Isles of St. Helena and Ascension, and the Cape of Good Hope, to be open ports to all the several Companies, to touch at, refresh at, and refit.

The Board of Commissioners for the affairs of India, to be nominated, constituted and appointed, as that which subsists under the present Charter of the East India Company; and which is commonly termed the Board of Controul.

6. The territorial Government of India to be under the regulation of twenty-five Directors chosen as the twenty-four Directors are now. The same territorial Directory of twenty-five members to regulate the whole commercial and territorial government of the China Company, but to be entirely subordinate in the commercial

concerns of India, to the Indian commercial Directory resident at Liverpool (as will be referred to hereafter).

The administration of government in India, to be conducted with as near analogy as possible to the system enjoined by the present Charter, excepting those exceptions since ordered by Parliament, or hereinafter to be suggested.

The commercial concerns of the Company of India, to be under the regulation of seventeen Directors.

The commercial concerns of the Company of the Isles, to be under the regulation of thirteen Directors.

Those of each of the other three Companies of Persia, Arabia, and Eastern Africa, to be under seven Directors.

The government of the Peninsula of India should, as at present, be administered by the

three Presidencies of Calcutta, Madras, and Bombay.

The Governor of Fort William in Calcutta, should possess the same pre-eminence and authority over the Presidencies of Madras and Bombay, as in the present Charter; he should be apsolutely appointed by the Crown. The Governors of Madras and Bombay, to be also in the absolute appointment of the Crown.

The Governors of Fort William, Madras, and Bombay, should be assisted by three Counsellors each, appointed and empowered as in the manner now provided by the present Charter.—Sect. 24, 25, &c. &c.

2. We propose the whole foreign commercial and territorial government of the Company of the Isles to be administered by two Presidencies; the one stationed at Prince of Wales's Island, for all affairs on the part of the continent of Asia, to which the charter of such Company shall be made to refer.—The other Presidency for all affairs of all the Islands, to be stationed at

Amboyna, Banda, or on the Isle of Java:—the Governors of these Presidencies to be in the absolute appointment of the Crown; their Councils of three Members to each, to be chosen by the thirteen Directors of the Company of the Isles. In the event of a settlement being formed by natives of the British dominions on the Island of Japan, with the approbation of the Government of Japan, a third Presidency to be established at such settlement, having a Governor appointed by the Crown, and a Council of three appointed in the same manner precisely as the other two Councils of the Presidencies of Prince of Wales's Island, and of Amboyna, &c. The jurisdiction of this third Presidency of Japan to extend from Latitude 20° to 60° North of the Equator; and from the Mouth of the Peiho or Yellow River, and the meridian of Longitude passing through the same, to Longitude 180° East of Ferrol.—The Presidency of Amboyna to retain a similar pre-eminence over the Presidency of Prince of Wales's Island, or of it and of Japan, which the Presidency of Calcutta maintains over those of Madras and Bombay.

3. The whole foreign, commercial, and territorial government of the Persian Company, to be administered by a Governor appointed absolutely by the Crown, and by three Counsellors appointed absolutely by the seven Directors of the Persian Company. The Governor to be resident at Bûsheer in the Persian Gulf.

4. The whole foreign, commercial, and territorial government of the Arabian Company, to be similarly appointed and constituted with that of the Persian Company, and to be resident at Mocha, Suez, or the Cape of Good Hope.

5. The whole foreign, commercial, and territorial government of the Eastern African Company to be similarly constituted and appointed with those of the Persian and Arabian Companies; and to be resident at the Cape of Good Hope.

All the Islands lying between the Longitude of 180° East of Ferrol and the Western Coast of America, to be annexed to and become compre-

hended in, the exclusive commerce of the present South Sea Company.

6. The trade to Canton and to the whole Coast of China proper, to be reserved exclusively to the present East India Company; the commercial concerns to be regulated by a Council or Directory of twenty-five Members (the same to whom it is proposed to commit the territorial government of India, as already mentioned) at home; and abroad, by a subordinate Council resident at Macao.—All proceedings of a judicial nature to be referable to the Governor General in Council at Calcutta, and in the dernier resort, to the Court of King's Bench at home.

This exclusive trade to continue for 10 years from the expiration of the East India Company's present Charter, viz. to cease and determine in March 1824.

All these appointments and regulations have two primary objects in view—First, the securing to the Crown a proper degree of authority over its colonial empire, by the absolute nomination of

all the Governors of the chief foreign station of each Company.—Secondly, the providing a counterpoise to this authority of the Crown, by the reservation to the Directors of the two Companies of India and China, whose establishment would subsist on more tried experience, as well as to the Directors of all the new Companies severally and respectively, the power of nominating the Members of the Councils of all the several Presidencies.

It is suggested, that each new Company should advance a sum of money to Government, by way of Loan, to be termed the Stock of such particular Company—the specific sum each Company should advance, to be determined by Parliament; as well as the Interest which Government shall pay for the same.

It may be thought, that the appointment of so many new Companies will induce great perplexity into the whole system of oriental commerce.—Such was found to occur in Holland, prior to the establishment of the Dutch East India Company: it may be thought, that this perplexity will not be sufficiently compensated by the ac-

tivity, assiduity, and œconomy, which the appropriation of advantages to individual Companies is intended to excite, and to secure.—It must be admitted, that such perplexity is almost inseparable from the regulations and changes proposed; (—but even after the consolidation of all the Dutch Companies into one East India Company, distinct Chambers of Commerce existed in *different* parts of the United States of Holland, though under one Direction—) but it is in reality inherent in the immensity of the concern, territorial and commercial, however appropriated.—Wherefore, to simplify, if possible, the appointment of six Companies as already suggested, and to render them more distinctly applicable to the proposed measure of opening all the Eastern commerce, except that of China, to the British Empire; let the following farther limitations be adopted:—

1. Let the whole Export and Import China Trade be confined to the Port of London.

2. The whole Export and Import Trade to and from the Peninsula of India, to the Ports of Liverpool, Edinburgh, Cork, and London.

3. The whole Trade of the Company of the Isles, to Glasgow, Hull, and Dublin.

4. The whole trade of the Persian Company, to the Port of Bristol.

The principle especially kept in view, in suggesting this and the other appropriations of particular ports to particular Companies, is, to assign that trade whose returns will be most immediate, to those ports where the merchants have less accumulated capital, but no want of spirit, activity, and judgment; and to attach the trade which requires longer credit, to the ports of the old Capitalists. These are obviously the relative predicaments of Liverpool and the Company of India, of Bristol and the Persian Company:—it is admitted, that other principles have had their weight in the respective assignments, which may on some future occasion be detailed.×

5. Let the whole trade of the Arabian Company, including that to the Red Sea, be confined to the Ports of Milford, Falmouth, and Belfast

Some reference may then be made to the formidable

6. That of the Eastern African Company, to the Port of Lynn Regis.

Finally, we recommend, that in each of the new Companies now to be privileged, the several sets of Directors should be chosen by a majority of proprietors of £100. Stock in each respective Company.

That the Directory of the China Company be, as at present, resident in London; the number of Directors 25.

That of the Indian Company in Liverpool, 4 being chosen in Edinburgh, 4 in Cork, 4 in London, and 5 in Liverpool—17 in all.

The Directory of the Company of the Isles to be resident in Glasgow; but chosen, 4 from Hull, 4 from Dublin, and 5 from Glasgow—13 in all. —This Directory, as well as that of the Indian Company, to have each three Representatives, resident in London.

The Directory of the Persian Company to

consist of seven Members, chosen in Bristol—of course resident in Bristol.—That of Arabia to consist of seven Members, chosen, 2 in Falmouth, 2 in Milford, and 3 in Belfast—to be resident in Belfast.—The Directory of the Eastern African Company to consist of seven Members, chosen, 4 in Norwich and 3 in Lynn—to be resident in Lynn.

Each of the three last-mentioned Directories to have one Representative, resident in London.

These several Representatives, resident in London, 9 in all, to be the organs of communication between their respective Companies and Ministers—the Board of Trade, and the Board of Controul.

The Board of Controul, it is intended, should retain, in all cases, over all the six Companies, their Directories and Representatives, the same controul and authority as the present Board of Controul exercises over the present East India Company.

But, to secure that attendance on meetings of the Board which is so imperiously necessary, and which the other avocations of the Members may not on all occasions admit, let there be allowed to each Member a power of appointing a Deputy to act in his absence; the voice of such Deputy at the Board, in the absence of such Member, to be of equal effect with that of the Member himself; such Deputy being removeable at the pleasure of the Member appointing him.

In all cases, as already observed, we propose the several Directorial Courts of each Company to be chosen by the Proprietors of £100. Stock in each Company; and with as near analogy as may be found convenient to the present form of choosing the Directors of the existing East India Company.

Last of all, it is necessary to specify the qualifications which, and which only, we propose to exact of British subjects who desire either to trade to, or visit, the Coasts or Countries comprehended within the priviledged commerce of the five new Companies, henceforward to be con-

stituted—That of China remaining on its present footing.

First, let it be required of every person trading to any of those Countries, that he enrol himself in that Company to which the exclusive trade he wishes to engage in, is assigned.

To entitle himself to such enrolment, he shall produce an attestation of his character for integrity, signed by the Minister and Churchwardens, or Minister and three respectable Householders, of the parish, or of each of the parishes, in which he has resided for the last three years, in the following or similar form:

We, the Minister and Churchwardens, &c. of the parish of in the town or city of and county of do attest that, to the best of our knowledge and belief, A. B. has resided the last three years in this parish, and has acted on all occasions with strict integrity.

This attestation to be delivered to a Board appointed as follows, for each Company. Three Members of it to be named by the general Board of Controul, and three by each particular Directorial Board. Two Members, or four Members, or six Members, to be competent to pass attestations; but no uneven numbers of Members. One Member to be of the number of those appointed by the Board of Controul, and one by the particular Directorial Court, if two only sit: two of each appointment severally, if four sit: three of each appointment, if six sit:—the casting vote or determination to be determined by ballot, if any doubt or difference arise. This Board, so constituted, to have an Agent chosen by themselves in any town or port of the kingdom of Great Britain, authorised to receive and transmit certificates to the Board; such Agent being responsible on oath for the genuineness of such certificates or attestations. An appeal from the decision of this Board, to lie to the sitting Magistrates of the Quarter Sessions of the district, or nearest district, to that in which the person appealing resides, and from them to the chief or senior Justice of the Court of Assize.

next to be held within the county in which the person appealing resides.—Any fraud in any Member of the Board of Attestations, to be liable to the penalty of forfeiture of half his real and personal property,—one moiety of such forfeiture to go to the sitting Magistrates of the Quarter Session first appealed to, and the other moiety to the appellant.

Secondly. It shall, we propose, be required of every person who *goes to* any coast or country of the said five new privileged Companies, that he produce the following attestation, to the afore-described Board of Attestations, signed by the Minister and three reputable Householders of the parish or parishes, in which he shall have resided for the last five years.

We the Minister, &c. of the parish of
in the town of
in the county of do attest that, to the best of our knowledge and belief, A. B. has acted honestly and peaceably for the last five years.

And in addition to such attestation, it shall be farther required of such person desirous of *going to* the coasts or countries afore-mentioned, that he invest in the ship in which he takes his passage, or in other ships which leave England the same season, one-third of the whole of the value of his real and personal property, in British manufactures, or in the manufactures or produce of British Colonies.

The Minister and Householders in any parish, signing any attestation of character for the purpose of qualifying any person, by virtue of either of the certificates above required, to *trade to*, or *to go to* the privileged limits, knowing such attestation to be false, to be liable to fine not exceeding £500. and to imprisonment for a term not exceeding three years, at the discretion of the Judges of Assize before whom the offence shall be tried.

Any person trading to any territory comprehended within the limits appropriated to any one of the new chartered Companies, without such certificate or attestation, to forfeit one moiety of

the property embarked in the trade, to the Directors of that Company, to whose chartered territory he shall have consigned such property —the same to be divisible among those Directors for their private use and emolument.

Any person actually embarked, for the actual purpose of *going to* any territory comprehended within the limits appropriated to any one of the new chartered Companies, without the second Certificate or Attestation, and not having actually embarked in it, or other ships for the actual purpose of trade, one-third of his whole property, to forfeit one moiety of his whole property to the Directors of the Company for whose chartered territory himself or property was destined —and the other moiety to be divided among his family, as if he had died intestate, by the ordinary laws of inheritance of the kingdom of England.

Any Captain or Commander of a Vessel conveying the property of such person so embarked, unprovided with such Attestation, to forfeit a sum of £500.—£250. thereof to be paid by

himself, and the remaining £250. to be levied on the five principal officers of his ship next in rank to the Captain, in equal portions of £50. each.

Any Captain or Commander *taking out* to any of the territories of any privileged Company, any person unprovided with the proper Attestation, to forfeit £5000.—£2500. to be paid by himself, and the remaining £2500. to be levied in equal portions of £500. each, on each of the five principal officers of the said vessel.

By these new arrangements we conceive commerce would be prosecuted with *unwasteful* assiduity under each Company; and the Crown would be unfettered from the existing danger of conflict with an immensely powerful and opulent empire, constituted and appointed within its own metropolis.—Above all, encouragement would be given to private traders, to export the manufactures of Great Britain, but only to traders of *approved integrity.*

No further examination will now be attempted

of the detailed sections of the present Charter, nor any other changes suggested in the commercial or political government of India. What has already been offered, may seem sufficiently presumptuous: but as no new principles have been advanced, but what have long obtained general admission, nor any statements dwelt on, but what may most easily be maintained from evidence open to all the world, it is trusted that these pages will be regarded in no other light than as an attempt to awaken the attention of the public to the expiring Charter of the East India Company; and to direct that attention, when awakened, to such modifications and alterations in the present system of Indian polity, as reason and equity demand.

LONG since the above Remarks were prepared for the Press, the public attention has been awakened to the vast importance of oriental commerce, by a deluge of Petitions, Addresses, Debates, and Pamphlets.—Multiplied grounds of objection have been offered, by the Advocates of the Renewal of the East India Company's Charter, to throwing open the trade.

It may not be unseasonable to refer to some of the most important—those most momentous points, the Indian Army, and the adjustment of the affairs of Finance by equitable compensations, being omitted; because it appears those are not to be made the main grounds of controversy.

One objection to any alteration, and by no means a modern one, is proposed in the enormous patronage which would be transferred to the Crown by any alteration in the Charter

It may be supposed that this was the strong hold, in which those who opposed Mr. Fox's celebrated India Bill of 1784-5, so firmly intrenched themselves.—Let a moment be devoted to the consideration of this Bill, and the following will be found to be its prominent features:—The Bill proposed, That the whole commercial and territorial Government of India should be absolutely surrendered, for four years, into the hands of seven Directors named in the Bill—viz. Earl Fitzwilliam, Lord Lewisham, Sir Henry Fletcher, Mr. Frederick Montagu, Sir Gilbert Elliott, Mr. G. A. North, and Mr. Gregory.

Nine Assistant Directors were to be named for the commercial affairs of India, by the votes of such Proprietors as possessed £2000. Capital Stock; such Assistant Directors to act under the orders of the afore-mentioned Directors.

All vacancies in the said Directory to be filled up by his Majesty; all vacancies in the Assistant. Directory, by a majority of the Proprietors of East India Stock.

The Assistant Directory liable to removal by five Directors; and the Directory and Assistant Directory, liable to removal by his Majesty, on the address of either House of Parliament.

The effect of any alteration in the present Bill, it has been contended, would lead to the result then predicted of Mr. Fox's Bill—the overthrowing the Constitution, by vesting so enormous a patronage in the hands of the Crown.—But the assimilation of the cases is a little forced—Mr. Fox's Bill was ~~finally~~ carried in the House of Commons by 208 Members against 102.—Soon after its presentation to the House of Lords, is it not generally understood, that a Noble Earl, father of a Noble Earl now high in the confidence of the Regent of the realm, as heretofore in that of his Sovereign, represented to his Majesty, that the enormous patronage vested in the hands of the Minister, through the medium of those his friends to whom was to be consigned the absolute government of India, commercial and territorial, for four complete years, might be attended with unfortunate consequences?—the Bill was finally

lost in the House of Lords, on a division of 95 to 76.

Does it not seem then, that the unfortunate consequences capable of resulting from the patronage of India, arose from the possibility of a Minister being enabled, through *its* means, to enthral the Crown; not from the enormity of the patronage to be given by the Bill to the Crown?

Those alterations in the Charter, which it is ventured to suggest in the above Remarks, will certainly, in time, alter the patronage of the commercial Government of India—and immediately vest in the Crown, the power of appointing to the supreme Governments of all the divisions proposed of Eastern Territory and Commerce.—But we may now look forward, with some rational hope, to peace—to peace, with an Army and Navy reduced to a far more moderate scale than, anterior to the tremendous reverses of the French arms in Russia, could have been calculated upon.—With an Army and Navy so reduced—with a very considerable reduction, gradually accomplished. of Sinecures—with the reduction of the

colonial Western patronage, if not to the standard at which it existed previous to the war, at least much below that at which it now stands, it may fairly be doubted if the increase in the Eastern patronage of the Crown will not be rather necessary than formidable to the Constitution; especially when it is also considered, that the power of patronage, originating in the Civil List, is in effect so much below what it was, even in the commencement of the present reign—the Civil List then amounted to £900,000. per ann.—now it rises nearly to £1,100,000.—The Revenue of Hanover has, however, been lost since it was raised to its present amount.—Will £1,100,000. in 1813, without Hanover, accomplish what £900,000. would have done in 1760, with Hanover?

What shall we say, if we compare its efficacy with that of the Revenue of, certainly, £800,000. assigned to his Majesty George the First, in 1715?

But the Droits of Admiralty have been enormous—will any one undertake to prove, that out of their amount, the Crown in 20 years has

actually given away four millions?—granted that, beside remuneration to Captors, &c. &c. not less than £4,000,000. have been given away spontaneously by the Crown;* this will raise the average income only to about £1,200,000. per annum: surely not much more than equal in efficacy to one-third of the private Revenue of George the First.

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* Of that four millions, some has been distributed among the different branches of the Royal Family.—If we calmly reflect on the real extent of the incomes of some of those personages, the application may not seem ineligible.

Till the administration of Lords Grey and Grenville, and Lord Lansdown, the allowance to the five junior Sons of the Sovereign was £12,000. per annum: it was then raised to £18,000.—Their several Regiments, &c. might have, on an average, brought up their effective incomes first to £14,000. —and now to £20,000. per annum.

Suppose them to be, in consequence of unapproved marriages, or other motive, desirous of changing these annuities into landed property—they would then probably have in perpetuity, in lieu of their annuities, about six thousand per annum—a property notoriously not exceeding one-twentieth part of that of our wealthiest class of nobility.—The incomes of the Princesses, now that they *have* independant incomes, are similarly disproportionate to their rank, not amounting in perpetuity to more than one-twentieth part of the incomes of the highest class of the unmarried female nobility

From this comparison of the past and present patronage and private revenues of the Crown, we conclude, that the augmentation of patronage to be derived to the Crown by the proposed alteration of the Indian Charter, is not fearfully alarming.

We fear, without affecting any idle sarcasm, when it is so often intimated that the Company's is a losing trade, we must infer, either that such intimations are incorrect, or that the true object of their advocates is, to secure to the Company the patronage of the East—in compensation for their losses by trade.

2. The next objection that will be briefly recurred to, may be the character of the American Trade to India.—The gentlemen at the India House, and in the City, are said to aver, that the ample participations in Eastern commerce, which America has so long enjoyed, arose from their peculiar predicament as neutrals, and were not originally approved by the Directors, but at length conceded to the Americans at the repeated instances of the British Ministers:—Certainly this

s a very important explanation; nevertheless, it is admitted, that America did trade in the Eastern Seas to a vast amount,—that is, that they did conduct an immense and very profitable trade, chiefly, it is averred, import or carrying, over and above that trade which the Company or the British private trade, as patronised by the Company, could compass, or did enjoy.—When, then, can so favourable an opportunity occur for the extension of the Eastern trade, to the whole British Empire, as when an acknowledged unoccupied trade is presented by the secession of the Americans, necessarily consequent on the American war?

If the peace some hope soon to see with France, humbled as surely she must be now, should arrive, will she not claim the right of admission into the Eastern Seas?—and if conceded to her, for peace sake, the earlier our anticipation of the Eastern commerce by the enlarged privileges of the Outports, the more nugatory will be our concession—our own merchants will have taken possession of the trade.

3. A third observation bearing against the

enlargement of the trade is, that since the year 1794, the Company has provided 58,000 ton of Shipping for the accommodation of the private trade, in the course of the last 18 years, of which only 15,000 was actually employed by the private traders; but this was *Export*, not *Import* Tonnage —it is for the latter, the merchants of the Outports so strenuously contend;—moreover, this Export Tonnage was not under the care and at the actual disposition of the consigners, except through the medium of the Company's Agents, to which the private traders have always expressed the most invincible objection.

It is but candid, however, here to express a doubt of the immense advantages that will *immediately* accrue, under any circumstances, from the extension of the trade to the outports.

China has an incredibly superfluous population, whose industry, an intelligent and sagacious dynasty, guided by a wisely organized code of commercial laws, must ever be solicitous to employ, to the supercession of all imported manufactures.

India enjoys a climate so favourable to the fixed habits and delicate productions of her own soil, her real wants are so few, and those so easily supplied within her own bosom, that a long period of time will be requisite to cultivate any fastidious cravings; much longer any real occasion or enormous demand for *our* manufactures. The Isles of the East are, however, either already prone to capricious longing after European luxuries, or may with some facility be taught it.

The cold regions of mountainous Bootan and chilled Tibet, may in time be rendered accessible to our fine wove fleeces; their honest inhabitants must welcome them with many, many other articles of our manufactories, whenever they are brought within their reach; and of that, surely an enlarged system of trade affords some chance. But the mighty Burhampooter, unlike her sister Ganges, shapes her tortuous course over rocks and rugged precipices most unfriendly to the purposes of inland commerce;—her subsidiary streams are still less accessible to the bark of the merchant;—the mountain mule path is there the

wearisome substitute for internal navigation.—Some woollen manufactories have been long established even there. And above all, the influence of China, so peculiarly jealous of the British trader, is, as has been most recently communicated, there alarmingly predominant.——Far fairer is the prospect in the fertile plains of Ava, and the whole Burman Empire.

The shores of Arabia and of the Red Sea.—What an eventual market for our fine linens and for our cutlery, now that the great mart of Mecca (in the destruction of the tomb of the prophet) is sunk so low.*

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* But let not the Manufacturers of Birmingham and Sheffield fondly hope their military Cutlery will rival those imported into Ægypt from Mahomedan countries:—they have been personally assured, to their astonishment, that the test of a Mamlouk or Damascus sabre is its competency at one blow of a man of moderate strength, to cut in twain a silk sack of feathers, of one foot in diameter. so loosely stuffed as to stand upright on one extremity and no more. The Mohamedans are, as it is concluded from personal observation, fond of fine watches, watch trinkets, &c. as well as of horse equipage, and above all, of ornamented weapons.—But who that has a head and a heart, would allow the exportation of military weapons of any description, to any foreign port whatever, as an article of commerce?

The Ptolemies of Ægypt, as the wisest of the sons of men in more distant ages had done before them, trafficked with immense advantage through the whole of the Red Sea, and far along the South Eastern coast of Africa. In time, some semblance of that far-famed traffick might haply be revised; above all, if aided by slow, honest, honourable colonizations.

Persia, too, after long losing, in the hideous din of civil warfare, her inclination for domestic comfort, together with her manufactories, now that she has again tasted the reviving influence of stable government, may once more open the ports of her empire to the judicious perseverance of enterprizing merchants.

Time may effect much, perhaps, even for our exports; if the private traders will now profit from the fatal warning which Buenos Ayres, and the well intended invitations of Sir Home Popham, so far and so loudly, and so unhappily proclaimed to all. Till that period arrives, the private traders claim their share in the import trade; and to that claim we shall presume to consider one final objection.

4. This consists, first in the reiterated representations made, of the vast and most commodious establishments formed in London and its environs, for the reception and disposal of the Eastern imports, now about to be rendered nugatory by the *alteration*, not the *annihilation* of the Company's Charter, attended by a similar injury to their Shipping interest; and, secondly, in the attendant penury or ruin of the Company's numerous servants and dependants.

To both forms of remonstrance one observation may be thought to apply, that if true now, they are likely to acquire greater strength, as with increase of age, the establishments of the Company and the number of their dependants naturally increase. And that therefore, for *ever*, their chartered privileges must be still extended, in *consequence* of each successive and superadded indulgence. With regard to the establishments in houses, warehouses, &c. &c. we should certainly wish to see a liberal compensation made for the value of all such now to be rendered useless, to the erection of which the Company were encouraged by Government. Probably many of them, with small alterations, might be equally

adapted to the Baltic Merchants, as to the Company—and that a great trade to the Baltic, and even to the Black Sea, must immediately ensue, can scarcely be doubted. Government has high duties on various articles of Baltic produce; in the East India supernumerary storehouses, that produce might be stored, and the duties levied. Those warehouses, formed of private dwellings on the banks of the Thames or in old London, might be purchased by Government on fair terms, they advancing the purchase-money, and repaying themselves by a moderate assessment on the Imports and Exports, *ad valorem*, of the new privileged Outports. Those near the Thames might be advantageously pulled down, as well as many within the thinly inhabited streets and courts of the old city of London; and thus the Outports might, in return for some of the benefits they expect to derive from the privileges now to be transferred to them, contribute most essentially to improve the beauty, and secure the health of the inhabitants of the Metropolis.—With respect to the Shipping Interest, it is presumed that most of the Company's best and largest vessels must still be wanted for their con-

tinued entire China trade, and for their still allowed share of the India trade. A portion may be employed in that commerce from the Eastern to the Western Indies which America must forfeit by the war, and in which the Company may advantageously *compete* with the privileged Outports; the remainder, probably, those Outports themselves will be ready to purchase at a fair valuation.

With regard to the loss the dependants of the Company will sustain from the proposed transfer of a part of their trade to the Outports, some distinction may equitably be made between those who by their station and education were fully competent to ascertain and to appreciate the probable duration of their privileges, and those who are strictly speaking, in too servile capacities to be capable of either.—To the former, when really led by Ministers to expect a renewal of their Charter, should not, in common justice, large compensation be made? To the latter, if unable to obtain reasonable means of maintaining themselves in the service of other merchants, (providentially by the wonderful events in the North of Europe, unlooked

for and extraordinary occasions are likely to occur to them), still greater consideration ought to be had.

Would it not be eligible to allow those who have taken short leases of their houses, ~~to be allowed~~, at the end of a much shorter period, to cancel their leases, in order that if they think fit, they may migrate unincumbered?—To the better sort, that a portion of them be of necessity introduced into the employ of the new Merchants of the Outports?—And to others, especially the aged and infirm, that with the aid of the Outports, some parliamentary provision be made for them?—That they all be admitted to the full rights of franchise, as if denizens in all the Outports to which they shall choose to migrate?

In a word, is it not desirable that the Outports should be bound liberally to lend assistance to Parliament, in the adjustment of every such loss to the poorer dependents on the Company, that Parliament in its wisdom shall recommend: —nay, that this liberality should be with due discretion extended to the humbler dependents

of the Company in India; the more readily, as it is yet to be proved, that the servants of the Company are unworthy such regard, or that the Company itself, in the persons of their inferior servants, have shewn themselves unkind or cruel Lords of the amiable millions of Hindûstan.

No farther to attempt to amplify dissertation on a subject now so universally controverted, and on which controversy must be always unbounded as the realms to which it refers, we shall conclude by observing, in fine, that the object of the former remarks was, to awaken the attention of the outport merchants to the dawning prospect of Eastern Commerce; and to direct that attention to what was deemed the most eligible mode of regulating its extension,—the objects of these annexed remarks are, attention being now alive indeed, candidly to examine some of the objections offered to such extension, and at the same time to guard the mercantile world from the fond and fatal delusion that—

"All the glitter of the East is Gold."

J. HODSON, PRINTER, CAMBRIDGE.